

## **REMARKS**

### **I. Introduction**

Claims 14-24 are currently pending in the above-identified application. By this amendment, Applicants have cancelled Claims 14 and 21-24, and have amended Claims 15-20. In view of the following remarks, reconsideration and allowance of the above-captioned application is respectfully requested. No new matter has been added.

### **II. Drawings**

The Examiner objected to the drawings for failing to show first and second electrodes of a resistive welder as described in the specification. Applicants have enclosed a Replacement Sheet of drawings showing the amendments to Figure 5. As amended, Figure 5 depicts first 72 and second 70 electrodes of a resistive welder. During the welding process, as described in paragraph 43, the first electrode 72 contacts the top side of the flat terminal 10, and the second electrode 70 contacts the weld part 38. In connecting to the top side, the first electrode 72 passes through the through groove 33. Accordingly, as Applicant herewith submits a Replacement Sheet that shows the electrodes, it is respectfully requested that the Examiner's objection be withdrawn.

### **III. Claim Rejections – 35 U.S.C. § 112**

The Examiner has rejected claims 14-24 under 35 U.S.C. § 112 ¶ 2 as being indefinite for failing to particularly point out and claim the subject matter which applicant regards as the invention. The Examiner then refers to the language of "a first electrode of a resistive welder"

and "a second electrode of [the] resistive welder" in Claims 14 and 24. (Applicants assume that the Examiner's reference to "claim 1 ..." in paragraph 8 of the Office Action is a typographical error and that the Examiner intended to refer to Claim 14, which is pending in this application.) Further, the Examiner stated his assumption that "a resistive welder is an electric welding machine, which welds conductive (metal) parts together."

Applicants agree with the Examiner's description of a resistive welder, which description Applicants respectfully submit is known to those of ordinary skill in the art exemplified by the literature that the Examiner has brought to Applicants' attention. Further, as described in the specification and as depicted in the Replacement Sheet of drawings, the first 72 and second 70 electrodes are brought into contact with the top side and weld part 38 of the flat terminal 10. Once in contact, a voltage is applied across the electrodes and an electric current passes through the flat terminal 10 sides to heat the metal between the electrodes. The resultant heat welds the weld part to the underside of the flat terminal. Accordingly, Applicants submit that the first and second electrodes are not indefinite recitations in the pending claims as amended.

#### **IV. Allowable Subject Matter**

Applicants, by this Response, have cancelled Claims 14 and 21-24, and therefore submit that the rejection of these claims is moot. The Examiner, however, has stated that Claims 15-20 would be allowable if these claims are rewritten to include all the limitations of the base claim (Claim 14) and overcome the rejection under 35 U.S.C. § 112. As rewritten, Claim 15 now recites all the limitations of cancelled Claim 14, including the first and second electrodes. As discussed above, Applicants respectfully submit that these electrodes are described in the

specification and drawings with particularity, and that the Examiner's reasons for rejection of Claim 15 have been overcome.

Further, Claims 16-20 have been amended to depend on Claim 15 and therefore include all limitations of the underlying base claim, including the electrodes of the resistive welder. Applicants therefore respectfully request that the rejection of Claims 15-20 therefore be withdrawn.

**V. Claim Rejections – 35 U.S.C. § 103**

The Examiner has rejected Claims 14 and 21-24 as being unpatentable over Ohshita (U.S. Patent No. 6,031,307) in view of Izume (U.S. Patent No. 4,419,559). By this amendment, however, Applicants have cancelled these claims and therefore respectfully submit that the rejections are moot.

## **VI. CONCLUSION**

In light of the above remarks, it is respectfully submitted that all of the remaining Claims 15-20 are allowable. All issues raised by the examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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A handwritten signature in dark ink, appearing to read "M. J. Duncan", is written over a horizontal line.

Malcolm Duncan  
Reg. No. 50,651  
Schulte Roth & Zabel, LLP  
919 Third Avenue  
New York, NY 10022

MJD/sc